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UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

Clerk, U.S. District and
Bankruptcy Courts

DEBORAH DIANE FLETCHER,

Plaintiff,

v.

METRO PCS, LLC,

Defendant.

Civil Action No.: 1:18-cv-02459(UNA)

MEMORANDUM OPINION

This matter is before the Court on its initial review of plaintiff's *pro se* complaint ("Compl.") and application for leave to proceed *in forma pauperis* ("IFP"). The Court will grant the IFP application and dismiss the case for lack of subject matter jurisdiction. *See* Fed. R. Civ. P. 12(h)(3) (requiring the court to dismiss an action "at any time" if it determines that the subject matter jurisdiction is wanting).

Plaintiff fails to provide a residence, merely stating that she "has a mailing address in the District of Columbia." Compl. at 2. She sues Metro PCS, LLC, focusing on the location in Bladensburg, Maryland. *Id.* at 1. Plaintiff states that her cell phone was stolen, and that she subsequently contacted defendant. *Id.* at 2. She reports that, in order to receive a new cell phone by mail, she had to go into her local store to make a \$55 insurance payment. *Id.* For damages, she requests "the price or prejudice along with that \$55 payment." *Id.* at 3.

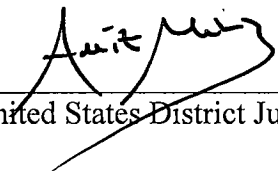
The subject matter jurisdiction of the federal district courts is limited and is set forth generally at 28 U.S.C. §§ 1331 and 1332. Under those statutes, federal jurisdiction is available only when a "federal question" is presented or the parties are of diverse citizenship and the amount in controversy exceeds \$75,000. A party seeking relief in the district court must at least plead facts

that bring the suit within the court's jurisdiction. *See* Fed. R. Civ. P. 8(a): Failure to plead such facts warrants dismissal of the action. *See* Fed. R. Civ. P. 12(h)(3).

Plaintiff fails to raise any federal question. She also fails to satisfy the burden to establish diversity jurisdiction. Therefore, this case will be dismissed for want of subject matter jurisdiction.

A separate Order accompanies this Memorandum Opinion.

Date: November 16, 2018


United States District Judge